

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 16-20146

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United States Court of Appeals  
Fifth Circuit

**FILED**

August 27, 2018

Lyle W. Cayce  
Clerk

United States District Court  
Southern District of Texas  
**FILED**

SEP 18 2018

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

SERGIO FERNANDO LAGOS,

Defendant - Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:13-CR-554-1

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ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before SOUTHWICK, HAYNES, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

In light of the Supreme Court's recent decision in this case, *see Lagos v. United States*, 138 S. Ct. 1684 (2018), this matter is REMANDED to the district court with instructions to delete from the restitution order \$4,895,469.73 for

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 16-20146

General Electric Capital Corporation's legal, expert, and consulting fees incurred in investigating the fraud and its legal fees incurred in bankruptcy proceedings.